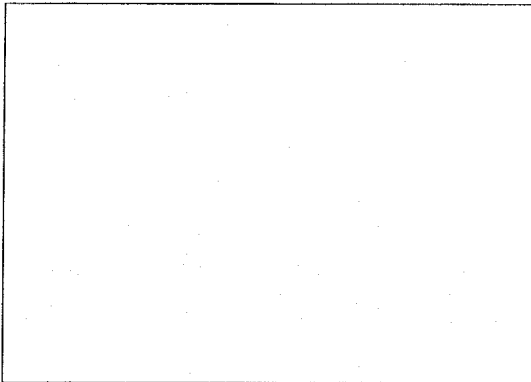


# In The United States Patent Office

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Serial No. : 10/516,500  
Filing Date: 29 November 2004  
Group Art: 1625  
Examiner: Niloofar RAHMANI, Esq.

## **SUPPLEMENTAL RULE 132 DECLARATION**

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I am an inventor of record of the captioned application. I present this Supplemental Declaration pursuant to The Code of Federal Regulations, Title 37, Rule 132. I hereby Declare as follows:

1. The Examiner's 1 August 2006 Office Action presents a chemical diagram

of a chemical structure which

the Examiner asserts has a

CAS Registry Number 5508-

58-7. The chemical diagram

provided in the Office Action

is not, however, clearly legible.

I accordingly show here the

chemical structure diagram of

the chemical compound with

CAS Registry Number 5508-

58-7. This structure was obtained from the National Library of Medicine's

Specialized Information Services web site. I enclose a print out of the web

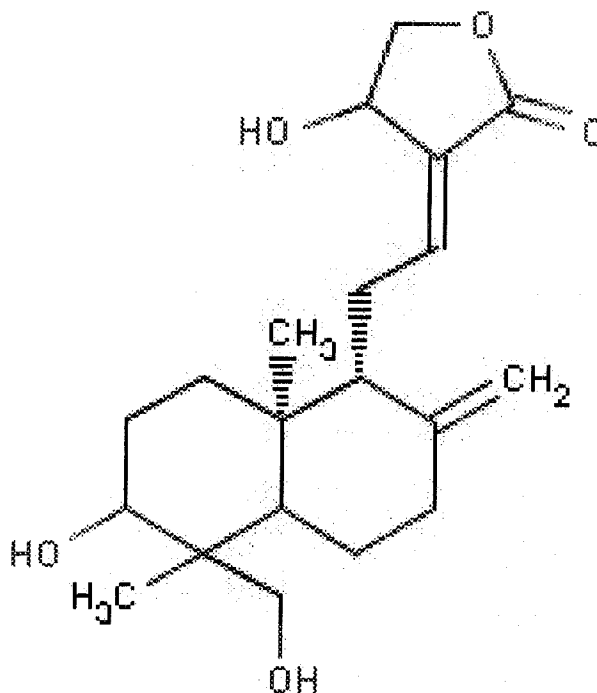
page containing this information. Moieties illustrated in red have specific

stereochemical configurations. Contrary to the poorly-legible structure

shown in the Office Action, the National Library of Medicine's Specialized

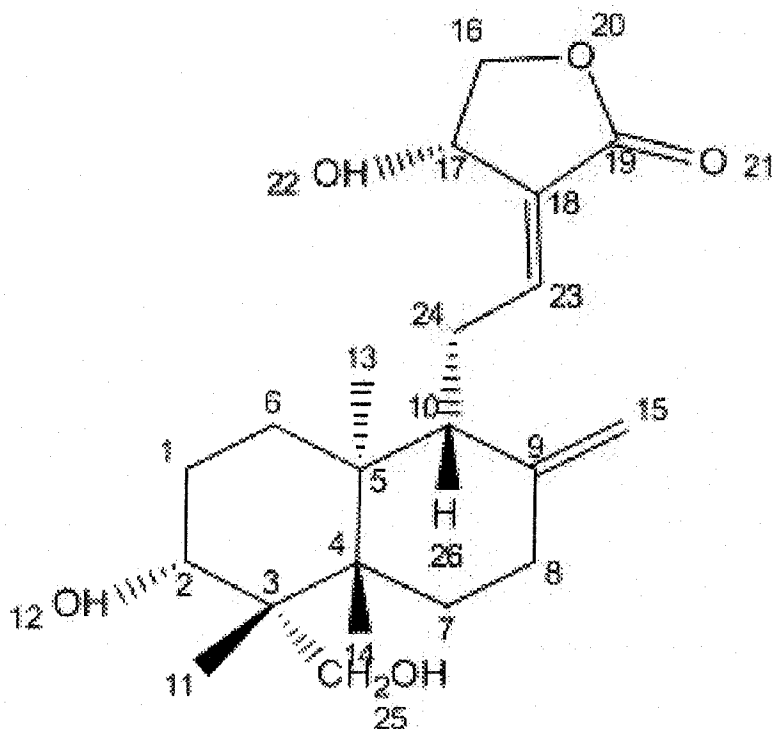
Information Services compound with CAS Registry Number 5508-58-7 has

no sulfur atoms nor any "R-" substitutable moieties.



2. In contrast to the compound of CAS Registry Number 5508-58-7, our claims are drawn to a compound with the IUPAC designation, "3-[2-[decahydro-6-hydroxy-5-(hydroxymethyl)-5,8a-dimethyl-2-methylene-1-naphthalenyl]ethylidene]-dihydro-4-hydroxy-2(3h)-furanone."

I illustrate the structure of it



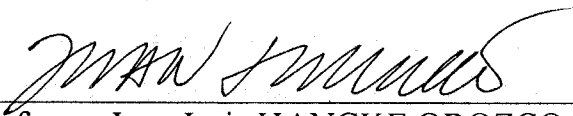
here. For the convenience of the Board of Patent Appeals and Interferences, I provide on this structure reference numbers for the atoms.

3. I infer that the Examiner intends to allege that the compound with CAS Registry Number 5508-58-7 is the same as the claimed compound. I respectfully disagree. Rather, the structural differences between the Examiner's compound and the claimed compound are readily apparent when one compares the two chemical structures. For example, the claimed

compound bears a methyl group at #14; in contrast, this group is completely absent from the compound of CAS Registry Number 5508-58-7. Similarly, the stereochemical configuration of the claimed compound, at, *e.g.*, atom numbers ##10, 11 19, 20, 26 (and perhaps ##12, 17, 19, 20 and / or 25 as well), is different from the stereochemical configuration of the compound of CAS Registry Number 5508-58-7. One of skill in the art would, on seeing these two different structures, immediately apprehend that the compounds are not the same, and may indeed possess different pharmaceutical and toxicology profiles.

4. The National Library of Medicine entry for the compound of CAS Registry Number 5508-58-7 confirms my assertion in my previous Declaration that the meaning of the term "Andrographolide" is neither well-known in the art nor denotes one specific compound. The compound shown in the National Library of Medicine is different from the compounds shown in the Examiner's own references (*e.g.*, U.S. Patent No. 5,883,074; US Patent Application 2002/0077350 and US 2002/0068098). Each of these sources, however, refers to their diverse compounds as "andrographolide."

I further hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

  
Professor Juan Luis HANCKE OROZCO, Ph.D.  
Dated as of 20 September 2006

